

REMARKS

Substance of Interview

Applicant's representative Elliott Mason (Reg. No. 56,569) thanks the Examiner for the telephone interview on December 13, 2007. In accordance with MPEP Section 713.04, the substance of the interview is included herein. No exhibits were shown. Applicant's representative asked questions (submitted in advance in writing) in order to obtain clarification of the particular parts of the cited portions of the reference being relied upon to reject claim 1, and a clear explanation of their pertinence. Partial agreement was reached in that the Examiner said he would reconsider whether to maintain the current rejection of claim 1 in view of Applicant's arguments, and potentially perform further search.

Prior Art Rejections

The Examiner has rejected claims 1 – 3, 12, 57 – 60, and 65 – 67 under 35 U.S.C. 102(b) as anticipated by Yi (U.S. 2002/0001314). The Examiner has rejected claims 4 – 8, 17 – 19, 28 – 36, 44 – 46, and 61 – 64 under 35 U.S.C. 103(a) as unpatentable over Yi in view of Rosengard (U.S. 2005/0063402). The Examiner has rejected claims 9 – 11, 49 – 56, and 68 under 35 U.S.C. 103(a) as unpatentable over Yi in view of Rakib (U.S. 2002/0015423). The Examiner has rejected claims 14 – 16 under 35 U.S.C. 103(a) as unpatentable over Yi and Rosengard in view of Gibson (U.S. 6,445,717). The Examiner has rejected claims 20 – 27 under 35 U.S.C. 103(a) as unpatentable over Yi and Rosengard in view of Del Prado Pavon (U.S. 2004/0047351). The Examiner has rejected claim 37 under 35 U.S.C. 103(a) as unpatentable over Yi and Rosengard in view of Jiang (U.S. 6,765,885). The Examiner has rejected claims 38 – 40 under 35 U.S.C. 103(a) as unpatentable over Yi and Jiang in view of Henson (U.S. 2002/0131591). The Examiner has rejected claims 13, 41 – 43, and 47 – 48 under 35 U.S.C. 103(a) as unpatentable over Yi and Rosengard in view of Rakib.

Independent claim 1

Yi does not disclose at least “dividing the encapsulated stream into a plurality of pieces ... at least some of the low level data units each containing a plurality of the pieces into which the encapsulated stream was divided,” as recited by independent claim 1.

On page 4 of the Office Action, the Examiner states “The SN PDU contains the SN (sequence number) and the E (extension) field. The other independent PDU contains the length indicator (LI) and the E (extension) field. This reads on claim limitations “at least some of the low level data units” (the PDU) “each containing a plurality of the pieces” (SN, E, LI).” During the interview, the Examiner agreed that the PDUs described in Yi do not contain a plurality of the pieces into which the encapsulated stream was divided.

The Examiner indicated he would reconsider whether to maintain the current rejection of claim 1, and potentially perform further search.

Independent claim 49

Yi does not teach or suggest at least “dividing the encapsulated stream into a plurality of pieces, with at least some of the low level data units each containing a plurality of the pieces into which the encapsulated stream was divided,” as recited by independent claim 49. Furthermore, no valid combination of Yi and Rakib suggests what is lacking in Yi or provides any motivation to modify the teachings of Yi so that at least some of the low level data units each contain a plurality of the pieces into which the encapsulated stream was divided.

Thus, Applicant respectfully requests reconsideration of claim 49.

Independent claim 57

Yi does not disclose at least “dividing the encapsulated stream into a plurality of sub-blocks, forming a plurality of pieces, with each piece including one or more sub-blocks, ... and supplying low level data units, at least some of the low level data units each containing a plurality of the pieces that include the sub-blocks into which the encapsulated content was divided,” as recited by independent claim 57.

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Thus, Applicant respectfully requests reconsideration of claim 57.

Dependent claims

No proper combination of Yi and any of the secondary references teaches or suggests the subject matter of the independent claims found to be lacking in Yi. The dependent claims are each properly dependent on a respective independent claim, and are thus allowable therewith. The dependent claims also add one or more further limitations, which are not presently relied upon to establish patentability. For that reason, and not because Applicant agrees with the Examiner, no rebuttal is offered to the Examiner's reasons for rejecting the dependent claims.

\$120 for the Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 04838-077001.

Respectfully submitted,

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/Elliott J. Mason, III/

Elliott J. Mason, III Reg. No. 56,569

Fish & Richardson P.C.
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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